

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.32404 of 2017**

Arising Out of PS.Case No. -176 Year- 2016 Thana -AIRPORT District- PATNA

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Nilesh Kumar Singh @ Nilesh Kumar S/o Krishna Murari Singh, Resident  
of Prashya Sadan, Riding Road, Police Station- Hawai Adda, District-  
Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sandeep Kumar

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

4      28-08-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
01.11.2016 in connection with Hawai Adda P.S. Case No. 176 of  
2016 for offences punishable under Sections 304B/34 of the  
Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that his daughter Rani Devi was married to the petitioner three  
years back and in the year 2015 her husband and Bhaisur  
demanded money for opening a medicine company. Thereafter on  
the alleged date of occurrence on 31.10.2016, the petitioner's  
brother made a telephone call that the informant daughter is  
seriously ill and had a massive heart attack and was taken to Paras



Hospital where she died.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and allegation of demand of money was in the year 2015 but occurrence is after more than one year. He submits that the deceased died in Paras Hospital and she was brought to Paras hospital and was given CPR to save her life. He submits that the post mortem report suggests fracture on third rib which may have been caused while giving resuscitation to the deceased as such fracture occurs as per medical journal. He submits that there was no allegation of demand of dowry and both the petitioner and the deceased were living a happy married life and that charge-sheet has been submitted and there is also no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-XV cum-ACJM, Patna, in connection with Hawai Adda P.S. Case No. 176 of 2016, subject to the condition that



petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

**(Nilu Agrawal, J)**

Devendra/-

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